

REMARKS

Claims 69 and 77 are amended. Claim 71 is canceled. New dependent claims 80-81 are added. The new claims are supported by exemplary embodiments of the originally-filed application at, for example, Fig. 21.

The title is objected to for allegedly not being descriptive. The title is amended as suggested by the Examiner, and therefore, this objection is rendered moot and should be withdrawn.

Claim 69 stands rejected under 35 U.S.C. §112, first paragraph, allegedly because the recited limitation to “an entirety of the insulative material comprising the same stoichiometry” was not described in the specification as filed. Claim 69 is amended to recite an insulative material at least partially filling the trench and an entirety of the insulative material comprising the same stoichiometry. Applicant directs the Examiner’s attention to an exemplary embodiment of the invention illustrated by Figs. 17-21 which includes the processing shown in Figs. 6-12 (pg. 15, Ins. 12-19 of the originally-filed specification). An exemplary insulative material is shown and referenced as number 28 in Fig. 6 and is shown at least partially filling openings 20 (see previous Fig. 5 with layer 24 first partially filling openings 20). The originally-filed specification states that the exemplary insulative material 28 comprises a high density plasma oxide 28 (pg. 4, Ins. 4-5). That is, an entirety of the exemplary insulative material 28 comprises high density plasma oxide wherein the high density plasma oxide can be stated to comprise the same stoichiometry. Accordingly, the exemplary insulative material 28 comprises the same stoichiometry, and

therefore, such written disclosure of the originally-filed specification supports “an entirety of the insulative material comprising the same stoichiometry” as positively recited in claim 69.

Since the originally-filed specification provides a written description for the language of claim 69, the §112 rejection against claim 69 should be withdrawn.

Claim 77 stands rejected under 35 U.S.C. §112, first paragraph, allegedly because the recited limitation to “wherein the sidewalls form right angles with the bottom wall” can not be shown by drawings which are not drawn to scale. Claim 77 is amended to recite wherein the sidewalls are formed substantially at right angles with the bottom wall. As amended, the positively recited limitation of claim 77 is supported by the originally-filed drawings (for example, Fig. 17), and moreover, is supported by drawings not drawn to scale. Accordingly, the §112 rejection against claim 77 is overcome and should be withdrawn.

Claims 69-71 and 73-79 stand rejected under 35 U.S.C. §102(e) as being anticipated by Tseng, 5,801,082.

Independent claim 69 is amended to recite an insulative material having a portion extending outward of the trench and the semiconductor substrate, the portion comprising an outermost upper surface, and wherein the outermost upper surface of the portion comprises a substantially planar surface. The amendment language is supported by exemplary embodiments of the invention at, for example, Fig. 21. Tseng teaches an isolation region 22 having a **convex** uppermost surface wherein the “convex profile of the STI provides an improved substrate structure on which to form the FET gate electrodes


with improved electrical characteristics" (col. 5, lns. 52-57; Fig. 6). A convex uppermost surface does not teach or suggest a substantially planar surface as positively recited in claim 69. Accordingly, Tseng fails to teach or suggest a positively recited limitation of claim 69, and therefore, claim 69 is allowable.

Claims 70 and 73-81 depend from independent claim 69, and therefore, are allowable for the reasons discussed above with respect to the independent claim, as well as for their own recited features which are not shown or taught by the art of record.

This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

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